

Town of Union
PLAN COMMISSION MONTHLY MEETING
Minutes of April 25, 2013

The Town of Union Plan Commission monthly meeting was called to order by Chairman Alvin Francis at 7:02 p.m. on Thursday, April 25, 2013 at the Evansville Fire Station, 425 Water St., Evansville, WI. Members in attendance included Chairman Francis, Ed Levin and Dave Pestor. Eric Larsen and Bill Thomas were not in attendance.

Approve March 28, 2013 meeting minutes

Motion to approve the minutes of the March 28, 2013 Plan Commission meeting minutes as written made by Pestor/Levin. Motion carried by unanimous voice vote.

Public comment (5 minutes max. per issue)

No comments.

Public Hearing: Review and Recommendation to the Board Action on Request made by the Pleasy R. Berg Trust, 102 E. Main St., Evansville, WI to obtain Conditional Use Permit in accordance with TOU Zoning Code Section 17.11 (3)L for C-1 lowland conservancy overlay district designation to allow construction of greenhouse(s) on parcel 6-20-280A.2, located at 6528 N. Hwy. 213, Evansville, WI in the W ½, NE ¼ of Section 34.
Public hearing opened at 7:05 p.m.

Francis explained that the reason for the Conditional Use is that agricultural accessory buildings require a Conditional Use Permit in the C-1 lowland conservancy overlay district.

Roger Berg was in attendance representing the applicant (Pleasy Berg Trust). A conservation plan has been approved by the NRCS, and a grant has been awarded to Berg to install a greenhouse for raising red raspberries. The reason for the plural greenhouses on the request was because if they decide to erect an additional greenhouse it will require an additional CUP application at a cost of \$500, which is expensive given the scope of the project itself. They may wish to put up another greenhouse if the initial greenhouse is successful, and by approving more than one at this time will save them money in the long run. No animals will be raised on the property, only fruits or vegetables.

Berg explained that their current greenhouse is hydroponic, and the raspberries grown in the proposed greenhouse will be grown in the ground, which is a requirement of the grant. Francis asked what will secure the structure to the ground; Berg explained that metal poles driven 2-3 feet into the ground are all that are required, although some people choose to cement the poles into the ground. Berg clarified that the purpose of the greenhouse is to extend the growing season. Dripline irrigation will be needed within the greenhouse, which will be 30' x 90'.

Francis noted that the area is quite wet at this time. The setback requirement from Hwy. 213 is 150' from the center of the road.

Carol Balmer, manager of S&F Farmland, a neighboring property: Asked if the Plan Commission was concerned with overdevelopment on the property, and leaching of chemicals into surrounding areas. She feels that the property is already overdeveloped, especially considering that there is a marsh located next to it, and neighboring farmland should be taken into consideration.

Berg stated that one of the reasons the two locations for greenhouses were chosen was that they were the easiest to get electrical service to without running another service. There may be times that fans will need to be run, despite the fact that the buildings have roll up sides. No insecticides or pesticides will be used, although the operation is not organically certified.

Chris Pracheil, Wisconsin Department of Natural Resources: explained that the project will ultimately require a permit, as siting a greenhouse on the parcel is considered placing fill in a wetland. Additionally, they need to take into consideration the fill that has already been placed in the wetland by earlier projects. Pracheil would like to request that there be some delineation made for the fill already placed, and that no further fill be placed, although the structure in question will be considered fill itself. Any structures will require permitting by the DNR; the zoning decision made by the Town is a separate decision independent of the DNR's permitting decisions but each are dependent upon the other being approved. Pracheil noted that the fill already placed on the parcel looks somewhat questionable, and it may not be advisable to place more fill on the site. The project may also require the approval and permitting of the Army Corps of Engineers. Pracheil explained that the NRCS does not regulate wetlands, they simply provide financing for farm service projects; the person who issued the grant to Berg is not in the office at the moment and Pracheil was unable to speak to him directly regarding the project prior to tonight's meeting.

Francis read in the Town of Union Zoning Ordinance requirements for conditional use permitting in the C-1 Lowland Conservancy Overlay District:

The Plan Commission will review the applicable facts pertaining to the proposed conditional use and will approve the conditional use only after finding that its inclusion in this district possesses a high likelihood of not creating problems with regard to nearby parcels of land or occupants thereof, is consistent with the Town of Union Comprehensive Plan and are therefore permitted only subject to the fulfillment of conditions which effectively insure that no such problems will be created. Any approved uses shall be in accordance with Soil Conservation Service standards.

Public hearing closed at 7:32 p.m.

Pestor stated that perhaps the request should be tabled and permitted by the DNR first. Berg stated they are on a timeline, and also explained that the NRCS requires a crop history on the location where they place the greenhouse. He would rather site the greenhouse closer to his other buildings but there must be a crop history on the site for the NRCS to approve it. Francis believes they could vote on the request at this time, contingent on receipt of DNR permits.

Motion to recommend to the Board approval of the request made by the Pleasy R. Berg Trust, 102 E. Main St., Evansville, WI to obtain Conditional Use Permit in accordance with TOU Zoning Code Section 17.11 (3)L for C-1 lowland conservancy overlay district designation to allow construction of greenhouse(s) on parcel 6-20-280A.2, located at 6528 N. Hwy. 213, Evansville, WI in the W ½, NE ¼ of Section 34 contingent on the applicant receiving the required DNR permits made by Pestor/Levin.

Roll call: Ed Levin: Yes; Alvin Francis: Yes; Dave Pestor: Yes. Motion carried 3-0.

Discussion: Farmland Preservation: how to approach CUPs for non-farm residences on ag parcels; number of acres required to add non-farm residences to parcels; related issues.

Eric Larsen was unable to attend the meeting but submitted the following comments via email:

Separation of parcels in A1 & A2 in farmland preservation districts:

I think we should follow Bob's suggestion and remove the requirement that the first house built on a parcel must be employed by the farm or make their living from the farm, since it is unenforceable and just adds confusion.

For additional residences I am fine with following the CUP process, but I would like to see at least 40 acres required per additional residence. I would also like to see a cap of something like 3 total residences on the base farm tract so we do not end up with what is really a subdivision if someone has a parcel that is large enough.

I would also like a requirement that the residences be located in the location that will have the least impact on farming the rest of the parcel. If the plan commission determines the location is not the most desirable, in terms of reducing the impact of farming the rest of the parcel, this is grounds for denial of the CUP.

Following discussion of the issue by those Commission members in attendance, the group agreed on the following principles for separation of parcels from A1 and A2 parcels in farmland preservation districts:

- Retain the process for CUP separations of farm buildings in all ag zoning districts
- Consider allowing one more division for building a residence on those parcels if enough acres of non-tillable land (land not tilled in the last 15 years) is available for such a division. The division should be kept as small as possible (1-3 acres) and the parent parcel should be 40+ acres in size.

Regarding asking the Board for financial assistance for revising the current zoning ordinance to meet the DATCP requirements, the Commission decided to table the issue until next month.

Motion to adjourn made by Levin/Pestor. Motion carried by unanimous voice vote. Meeting adjourned at 7:55 p.m.

Respectfully submitted by Clerk Regina Ylvisaker

Note: minutes are considered draft until reviewed and approved by the Plan Commission at a properly noticed meeting.